

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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SPERO HARITATOS, :  
:  
Plaintiff, : 05 Civ. 930 (DNH/GJD)  
:  
- against - :  
:  
HASBRO, INC. :  
and TOYS "R" US-NY LLC, :  
:  
Defendants. :  
:  
----- x

**DECLARATION OF SEAN WIGGINS**

I, Sean Wiggins, declare and state as follows:

1. I am employed by defendant Hasbro, Inc. ("Hasbro") as a Paralegal in the Office of the General Counsel, where I have day-to-day responsibilities for maintaining Hasbro's intellectual properties, including the CANDY LAND trademark, and enforcing those rights. I have held this position since December, 2002. I submit this declaration, based on personal knowledge, in support of Hasbro's Memorandum of Law in Opposition to Plaintiff's Motion to Strike the Declarations of Jill Hambley and Sean Wiggins.

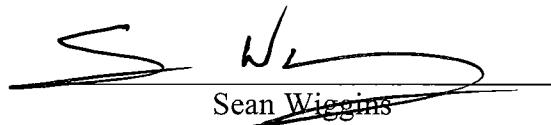
2. I and others employed in the Office of the General Counsel at Hasbro regularly monitor the use of CANDY LAND or similar marks as part of Hasbro's efforts to protect its famous CANDY LAND® trademark from infringement. The Trademark Research Report (attached as Exhibit A to the declaration I signed on May 29 in support of Hasbro's Motion for Summary Judgment) is one example of the trademark search reports I and others in the Office of the General Counsel at Hasbro regularly obtain in the course of our employment.

3. Attached hereto as Exhibit A are the receipts<sup>1</sup> for the goods I purchased that were listed in paragraph 3 of my May 29 declaration, which I purchased in the course of performing my job duties.

4. I located the websites identified in paragraph 4 of my May 29 declaration in the course of performing my job duties over the course of the past several months.

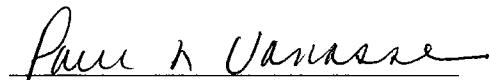
I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 12<sup>th</sup>, 2007, at Pawtucket, Rhode Island.

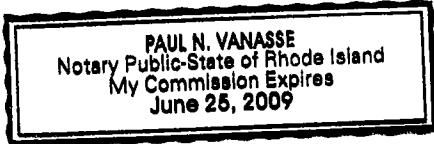


Sean Wiggins

Sworn to before me this  
12<sup>th</sup> day of July, 2007



Paul N. Vanasse  
Notary Public



<sup>1</sup> I never received any kind of receipt from J.T.'s Kandyland Express, so no receipt from that purchase is attached.

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused a copy of the foregoing **DECLARATION OF SEAN WIGGINS IN SUPPORT OF HASBRO'S MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE THE DECLARATIONS OF JILL HAMBLEY AND SEAN WIGGINS** to be filed electronically with the Court, with copies sent electronically and by First Class Mail to the counsel set forth below on July 16, 2007:

Robert E. Purcell, Esq.  
Hiscock & Barclay  
Attorneys for Plaintiff Spero Haritatos  
One Park Place  
Syracuse, New York 13202  
(315) 422-2131

and

John G. McGowan, Esq.  
Bond, Schoeneck & King, PLLC  
Attorneys for Defendant Toys "R" Us  
One Lincoln Center  
Syracuse, New York 13202-1355  
(315) 218-8121



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Kim Landsman

# **EXHIBIT A**

PO Number :

===== MERCHANT DEFINED =====  
order\_id : 6b2b6ff091345cf05a3a6f02c870b455  
order\_date\_time : October 17, 2006, 12:37 pm  
Shipping\_type : UPS Ground (3-5 Days)  
Shipping\_Total : \$13.95  
Merchandise\_Total : \$35.94  
Order\_Total : \$49.89

ml1xxxxxxxxxxxxxxxxxxxx : xxxxxxxxxxxxxxxxx

Multiple\_Locations : ml2xxxxxxxxxxxxxxxxxxxx : xxxxxxxxxxxxxxxxx

ml2xxxxxxxxxxxxxxxxxxxx : xxxxxxxxxxxxxxxxx

Greeting\_Message :  
xxxxxxxxxxxxxxxxxxxxxxxxxxxx : xxxxxxxxxxxxxxxxx

xxx\_Order Detail Follows\_xxx : xxx\_\_\_\_\_xxx

xxxxxxxxxxxxxxxxxxxxxxxxxxxx : xxxxxxxxxxxxxxxxx

1.  Item\_number : 10032  
1.  Product\_ID : fc00042  
1.  Product\_Name : Pretzels Coated with Milk Chocolate and Toffee Pieces  
1.  Product\_Detail : Chocolate Covered...

1.  Quantity : 1

1.  Unit : lb.

1.  Cost : \$11.99

1. xxxxxxxxxxxx : xxxxxxxxxxxxxxxxx

2.  Item\_number : 10031

2.  Product\_ID : T00001C

2.  Product\_Name : Candyland Store\*

2.  Product\_Detail : 3.5 Gallon Tin

2.  Tin\_Contents : 3-Way Divided

2.  Quantity : 1

2.  Unit : Tin

2.  Cost : \$23.95

2. xxxxxxxxxxxx : xxxxxxxxxxxxxxxxx

Thank you! )

**Wiggins, Sean**

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**From:** annabushnell@dolles.com  
**Sent:** Tuesday, March 06, 2007 10:34 AM  
**To:** Wiggins, Sean  
**Subject:** Your Purchase at Dolles Candyland

This is a confirmation email that your purchase has been received at Dolles.com. Once your order has been reviewed we will ship your products as soon as possible. This email acts as your receipt so we recommend you keep it for future reference if necessary. If you have any questions or comments please contact us at [annabushnell@dolles.com](mailto:annabushnell@dolles.com) and please be sure to include your order number and name.

**Thank you for shopping with Dolles.com.**

**ORDER NUMBER: 876****Items Purchased**

Name	Option	Quanity	Price
One Pound Assorted Stick Shaped Salt Water Taffy		1	\$6.25
			<b>Sub Total: \$6.25</b>
			<b>Sales Tax: \$0.00</b>
			<b>Shipping Cost: \$7.50</b>
			<b>Total Price: \$13.75</b>

**Your Information**

**Name:** Sean Wiggins  
**Email:** swiggins@hasbro.com  
**Phone:** 401-727-5735

**Billing Information**

**Address 1:** 146 Glenbrook Road

**Address 2:**

**City:** Warwick

**State:** RI

**Zip Code:** 02889

**Country:** usa

**Shipping Information**

**Name:** Sean Wiggins

**Address 1:** 1027 Newport Ave

**Address 2:**

**City:** Pawtucket

**State:** RI  
**Zip Code:** 02862  
**Country:** usa  
**Remark:**

**Wiggins, Sean**

**From:** Candyland Crafts [orders@candylandcrafts.com]  
**Sent:** Tuesday, March 06, 2007 10:49 AM  
**To:** Wiggins, Sean  
**Subject:** 11596 - Secure Online Credit Card Transaction

Dear Sean Wiggins  
Thank you for your order!

Your order will be shipped pending credit card approval.

Customer/Order Confirmation Number 11596 Date and Time: Tue Mar 06 10:49:25 2007

Item:	Details:	Quantity:	Each:	Item Total:
Shamrock Pan (2105-185)		1	\$ 7.99	\$ 7.99
<b>Sub Total:</b>			\$ 7.99	
<b>Shipping Total:</b> (1. Continental USA & order is under \$300)			\$ 6.95	
<b>Grand Total:</b>			\$ 14.94	Pending

These products will be shipped to:

Sean Wiggins  
1027 Newport Ave  
Pawtucket Rhode Island 02862  
USA  
401-727-5735  
swiggins@hasbro.com

Billing address:

Sean Wiggins  
146 Glenbrook Road  
Pawtucket Rhode Island 02889  
USA  
401-727-5735  
Swiggins@hasbro.com

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Candyland Crafts  
<http://www.candylandcrafts.com/>  
orders@candylandcrafts.com

**Wiggins, Sean**

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**From:** orders@thecandylandstore.com  
**Sent:** Tuesday, March 06, 2007 11:03 AM  
**To:** Wiggins, Sean  
**Subject:** Thank you for your order

We will be in touch as soon as possible about your order, the details of which are as follows:

Order ID: 2180

Customer Details:

Sean Wiggins  
146 Glenbrook Road  
Warwick, RI  
02889

United States of America

Email: swiggins@hasbro.com

Phone: 401-727-5735

Shipping Details:

Sean Wiggins  
1027 Newport Ave  
Pawtucket, RI  
02862

United States of America

Phone: 401-727-5735

Shipping Method: Standard Shipping

Customer certifies shipping is to a commercial location.

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Product ID: retro

Product Name: Retro Candy Mason Jar

Quantity: 1

Unit Price: \$12.99

> Add A Card : No

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Order Total : \$12.99

Shipping : \$6.33

Grand Total : \$19.32

**Wiggins, Sean**

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**From:** shipping@zebs.com  
**Sent:** Tuesday, March 06, 2007 11:07 AM  
**To:** Wiggins, Sean  
**Subject:** Zebs Store Order

Thank you for ordering from the Zebs website. Your order details are below.  
All orders are shipped promptly, and we will be in contact with you via email when the order ships.

OrderID: 2568  
CustomerID: 1173197541

Bill to:

Sean P Wiggins  
146 Glenbrook Road  
Warwick, RI 02889

Phone: 401-727-5735  
Email: swiggins@hasbro.com

Ship to:

Sean Wiggins  
1027 Newport Ave  
Pawtucket, RI 02862

Phone: 401-727-5735  
Email:  
Ship to Arrive By:

Visa  
Card Number: xxxxxxxxxxxxxxxx6875  
Expires: 02/06  
Name on Card: Sean Wiggins

**ITEMS ORDERED:**

Item Number: CRT202  
Item: Zeb's Candy Land Basket  
Quantity: 1  
Price ea.: \$34.95  
Ext. Price: \$34.95

Total Items: 1  
Shipping: \$11.95  
Total: \$46.90